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December 12, 2019

VIA ECF

Honorable Judge Robert M. Levy
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, New York

**Re: *Cantu-Mariano v. Elite Café Inc. et al.*
Civil Action No. 1:17-cv-03814-SJ-RML**

Dear Judge Levy:

This office filed a substitution of counsel, pending Court Approval, will represent B & I Elite Café LLC and Benjamin Haimoff in this action. This letter serves to respond to Mr. Chong's December 12, 2019 correspondence regarding my motion to Request to Stay the Proceeding.

As an initial matter, I withdraw the statement that I text messaged, Mr. Chong, as it was an error on my part. What I had meant to write was email correspondence and it was merely scrivener's error. If Mr. Chong would have addressed that statement with us prior to submitting his "response" we would have withdrawn the statement made in error.

Nevertheless, I have contacted Mr. Chong at least 3 times by phone and an email sent on December 11, 2019, requesting an immediate transfer of the file, so we can get up to speed in an efficient matter. However, that email was ignored by Mr. Chong. To be honest, I was not looking for an explanation from Mr. Chong, what I was looking for from him was a smooth transition of the file.

In his response, Michael Chong stated that he transferred the file. That was a false statement, at the time his "response" was filed no transfer of the file had occurred. At the time of our initial filing at 5:13pm on December 12, 2019, Mr. Chong did not transfer over the file. Mr. Chong sent an email at 6:10pm on December 12, 2019, which contained a link described as "Attached is a copy of our file. All pleading and filings are on ECF." When we attempted to open the link the only file attached to it was a stipulation filed with this Court on November 26, 2019 (DKT NO. 48). Later an email sent at 6:52pm, on December 12, 2019, from Mr. Chong's office seems to have included a complete copy of the file.

As stated, the letter motion filed was not intended to admonish Mr. Chong, but rather to explain to the Court that the non-transferring of the file is yet another reason why we need the requested adjournment. Simply put, we cannot evaluate anything on this case without a review of the file. Even if, Mr. Chong would have provided the file prior to 6:52pm on December 12th, we would still have needed an adjournment and the stay, as requested in our letter motion, to review the file.

Therefore, we respectfully request that the Court Grant our request for substitution of counsel motion (Dkt. No. 50), and our letter motion requesting a stay of litigation filed on December 12, 2019 (Dkt. No. 51).

I thank the Court in advance for their consideration of this request.

Very truly yours,

/s/ Ibrahim Abohamra

Ibrahim Abohamra Hamra, Esq.